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Advocates for the Rights of Individuals

January 16, 2014

Via CM/ECF

The Honorable Franklin L. Noel
United States Magistrate Judge
300 South Fourth Street
202 U.S. Courthouse
Minneapolis, MN 55414

**RE: Request for Reconsideration, *AF Holdings, LLC v. Rajesh Patel*,
Miscellaneous Action No. 0:13-mc-00068-JNE-FLN**

Dear Judge Noel:

I write regarding this Court's January 13, 2014, Order granting in part, and denying part Rajesh Patel's motion for contempt and to compel.

This Court granted Mr. Patel's motion to compel, but denied his motion for contempt.

There is a material conflict between the reasoning on which this Court based its Order and the December 18, 2013, order entered by the court in the Northern District of Georgia case. This Court's Order was premised on the fact that the court in the Northern District of Georgia case *denied* AF Holdings' motion to quash the subpoena issued to me and other third parties. Yet, the court in that case *granted* AF Holdings' motion to quash the subpoena at issue in this case. *See AF Holdings, LLC v. Rajesh Patel*, No. 12-cv-262 (N.D. Ga. Dec. 18, 2013), at ECF No. 90 (granting AF Holdings' motion to quash filed at ECF No. 68).

The operative motion to quash in this miscellaneous action is and always has been the motion to quash filed in the Northern District of Georgia case at ECF No. 68, not the motion to quash filed at ECF No. 60. *See* Hansmeier Opposition to Rajesh Patel's Motion to Compel and For Contempt, ECF No. 11 at 2 n.1 (citing to ECF No. 68 in the Northern District of Georgia case).

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The motion to quash filed at ECF No. 68 in the Northern District of Georgia case sought to quash the subpoena issued to me on the grounds that the information sought therein was subject to the attorney-client privilege. The serious ramification of this Court overruling—even inadvertently—an unambiguous order of a veteran district judge of the U.S. District Court for the Northern District of Georgia constitutes a compelling circumstance under Local Rule 7.1(j) to justify leave to file a motion for reconsideration.

As such, I respectfully request the Court's permission for leave to file a motion for reconsideration. A motion for reconsideration will allow the Court to have full briefing on the issues raised in Attorney Godfreed's proposed letter e-mailed to the Court today at 3:35 p.m. If this request is granted, I also respectfully request a corresponding stay of the Court's January 13, 2014, Order until such time as the motion for reconsideration is ruled upon.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul R. Hansmeier", with a stylized flourish at the end.

Paul R. Hansmeier

CC: All counsel of record (by CM/ECF)